

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

CHARLES ALAN LEWIS, SR.,

Plaintiff,

v.

Civil Action No. **3:15CV430**

ROGER KENNEDY, et al.,

Defendants.

MEMORANDUM OPINION

On September 14, 2015, the Court conditionally docketed Plaintiff's action. Plaintiff requested leave to proceed *in forma pauperis*. By Memorandum Order entered on October 27, 2015, the Court directed Plaintiff to pay an initial partial filing fee of \$26.71 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). On November 5, 2015, the Court received a notice of change of address from Plaintiff. Out of abundance of caution, the Court remailed the October 27, 2015 Memorandum Order to Plaintiff at his new address. More than eleven (11) days have passed, and Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: **12/23/15**
Richmond, Virginia

/s/
John A. Gibney, Jr.
United States District Judge